

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

HAROLD DOUGLAS BURKE,

Plaintiff,

v.

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

Case No. 12-10193

Hon. Gerald E. Rosen

Magistrate Judge Laurie J. Michelson

**ORDER ADOPTING
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

At a session of said Court, held in
the U.S. Courthouse, Detroit, Michigan
on February 1, 2013

PRESENT: Honorable Gerald E. Rosen
Chief Judge, United States District Court

On December 10, 2012, Magistrate Judge Laurie J. Michelson issued a Report and Recommendation ("R & R") recommending that the Court deny Plaintiff Harold Douglas Burke's motion for summary judgment and grant the Defendant Commissioner of Social Security's motion for summary judgment. No objections have been filed to the R & R. Upon reviewing the R & R, the parties' underlying cross-motions for summary judgment, and the record as a whole, the Court concurs in the analysis of the Magistrate Judge, and adopts the R & R in its entirety.

Accordingly,

NOW, THEREFORE, IT IS HEREBY ORDERED that the Magistrate Judge's December 10, 2012 Report and Recommendation (docket #11) is ADOPTED as the opinion of this Court. IT IS FURTHER ORDERED, for the reasons stated in the R & R, that Plaintiff's July 13, 2012 motion for summary judgment (docket #9) is DENIED, and that Defendant's August 17, 2012 motion for summary judgment (docket #10) is GRANTED.

s/Gerald E. Rosen
Chief Judge, United States District Court

Dated: February 1, 2013

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on February 1, 2013, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager